



INTRODUCTION TO THE ADA REQUIREMENTS FOR A SELF-EVALUATION AND ESTABLISHMENT OF A CITY OF OAKLEY TRANSITION PLAN

The American's with Disabilities Act (ADA) was enacted into law on July 26, 1990 to provide civil rights protections for individuals with disabilities and to ensure that these individuals are treated equally in the area of employment and to provide them with full access to all public accommodations and to all State and local government services and facilities. Title II of the Act requires that public entities perform a self-evaluation of all facilities, services, and programs to determine if there is any noncompliance with Title II requirements and to ensure that public agencies do not discriminate against individuals with disabilities. Public entities must also evaluate City facilities, including streets, roads and sidewalks, to determine if there are physical barriers that prevent full access by individuals with disabilities. Once the self-evaluation process is complete, the public entity must develop a "transition plan" that details required changes to services and programs, as well as any necessary structural changes to remove physical barriers at all facilities. The transition plan is to also identify sources of funding to be used to complete the corrective work and provide a schedule or time line indicating when the work will be completed as well as an order of priority for each project. The transition plan is a public document and, before final publication, the City should provide the opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation and transition plan process by submitting comments.

Title II also requires that each public entity designate a responsible employee (ADA Coordinator) to administer the transition plan, oversee all transition plan corrective work, and to produce an annual report that details all improvements to programs and services, and the completion of all physical barrier removal projects. The City shall also adopt and publish grievance procedures that provide for the prompt and equitable resolution of all access complaints; the ADA Coordinator must provide written rulings for all grievances and provide for a ruling appeals process whenever necessary. The ADA Coordinator's annual report must also account for all the funds that were spent during the fiscal year, the projects that the funds were spent on, the dates of project completion, and should include information about any complaints or grievances that were received by the ADA Coordinator and how they were resolved.

While public entities that have less than 50 employees are not required to comply with some sections of the Title II regulations, the City of Oakley is approaching that 50 employee threshold and desires to begin the self-evaluation process by providing questionnaires to each department/division and use the information gathered to develop a written transition plan.